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The Week

THE Farm Congress, to be convened in Washington January 23rd, will doubtless help to concentrate public attention upon the difficulties which are now confronting the agricultural population. The daily market reports are sufficient evidence that the farmer is suffering severely from the fall in prices. But what is needed now is above all a precise analysis of the character and extent of agricultural distress and the elaboration of effective measures for its relief. How much of the difficulty is due to the contraction of excessive loans for the purchase of farm lands at inflated prices? The country at large cannot be expected to be deeply moved by the plight of the farmer who bought land at a price predicated upon the persistence of war prices. He is in the same boat with the city speculators who plunged in "war brides" when most of their bloom was gone. How much of the distress is due to crop failures? What chance is there of stabilizing farm prices in America without a deliberate effort to form an international association for insuring the holding of stocks of agricultural products against the lean years? We sincerely hope that the congress will address itself to such questions as these with energy and intelligence.

SINCE the farm bloc has set itself up to represent directly one of the great national interests, it may properly be expected to accept the responsibility of working out and popularizing policies that are actually of benefit to that interest, instead of following the whims and snap judgments of the farm voters. It may be that a majority of the farmers believe that there is substantial relief to be had through the tariff. But the representatives in Congress from the agricultural states must surely know that this is a delusion. Protection will never help an export industry unless it is organized on a monopolistic basis which enables it to charge high prices in the domestic market while meeting competition abroad with cut prices. The production of wheat and corn and cotton simply cannot be organized on such a basis. The emergency tariff duties on farm products have not relieved agricultural depression in the slightest degree. Yet the farm bloc is now demanding an increase in those duties, and the addition of the most preposterous duty of all, five cents a pound on short staple cotton. It may be said that no harm is done by humoring the farmers' delusions. But in tariff negotiations everything has its price. The farmers are to be given a duty on raw cotton, which cannot possibly benefit them and they are to pay for it with higher duties on clothing, hardware, leather goods and lumber, which will certainly injure them. If the farmers were suffering under imaginary maladies, their leaders in Congress might be pardoned for following the practice of patent medicine vendors, in taking the farmers' money in exchange for remedies that are at best useless, at worst exceedingly injurious. But the farmers' ills are not imaginary. And we should like to know how the farm bloc leaders square their prescriptions with their consciences.

M. POINCARÉ'S decision to dispense so far as possible with the meetings of the Supreme Council and to substitute negotiations through ambassadors is an indication of the kind of alarmed French susceptibilities which caused M. Briand's resigna-

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tion and brought the new Premier into power. As long as the French premiers dominated the Supreme Council, it was accepted as a useful institution, but as soon as the British policy of cooperative effort on behalf of European recovery became unavoidable and its adoption apparently subordinated Briand to Lloyd George in the deliberations of the Council, it was transfigured into a dangerous institution for French politicians to support. They have not, however, killed it. They have only suspended its vitality. It will come back, and liberal opinion should favor its return. For while its behavior during the past two years under French influence has frequently been deplorable, it provides a better machinery for reaching a common international policy than does the old machinery of diplomatic negotiation. It permits a more candid and decisive discussion and it takes place in an atmosphere of a more aroused public opinion. M. Poincaré is getting rid of the Supreme Council, not because it had worked badly for Europe, but because it promised to work better for Europe and not so well for France. The Genoa Conference and its successors threatened to become an enlarged Supreme Council which France could no longer dominate. If French hegemony was to be perpetuated it was well to begin by getting rid of the Supreme Council.

DURING the past ten days the prospects of accomplishing something for China before the Washington Conference adjourns have improved. A short time ago the British ambassador issued a valedictory interview about the work of the Conference which assumed that it was all over and that the Chinese should be deeply grateful for the way in which their proposals had been refused or postponed. But it was not over. The American government insisted on prolonging it for the purpose of obtaining a satisfactory agreement about Shantung and at least of discussing Manchuria and Siberia; and apparently warnings from the Senate Chamber had something to do with this insistence. These warnings declared that the ratification of the Four-Power Treaty would become much more difficult unless some arrangement were consummated which restored Shantung to China, and unless some attempt were made to get Japan out of Siberia. The Senate is almost always an obstructive part of the mechanism whereby the American nation deals with foreign nations, but it certainly does prevent the Executive from falling into serious mistakes.

IN a recent address to a New York audience Mr. Norman H. Davis asked an important question about the effect of the Four-Power Treaty which if it were answered in the affirmative would justify opposition to that document. He asks, "Have we agreed to tie our own hands and protect Japan's rear while she pursues an aggressive policy in China and Siberia?" He does not himself answer the question in the affirmative and he could not so answer it candidly and indubitably. All that the Four-Power Treaty necessarily does is to form an association the partners of which agree not to attack one another's territories in the Far East and to consult together in the future in the hope of working out a common Far Eastern policy. But while the Treaty is sharply distinguished from a military alliance, it may possibly have the effect of making the American government more complacent about Japanese aggression in China and Siberia than it has been in the past; and for that reason it is important for the administration to insist even to the point of being disagreeable to its new associates upon the necessity of doing something substantial in the Nine Power Treaty to satisfy Chinese grievances. The British delegates should not be allowed to hasten home until they have used their influence to pursuade Japan to bless the formation of the new entente by proving that it will not be used as the screen for an aggressive policy in China.

WE deeply regret the retirement of Mr. Hays from the office of Postmaster General. He has conducted his office well. His administration has gone far toward reestablishing the morale of the service, shattered by the autocracy and illiberalism of his predecessor. But it is not the chief source of our regret that the public service loses in Mr. Hays an administrator who will be hard to replace. It is rather that the business of the nation can not compete for men with the moving picture business. It is that the sense of public spirit is not sufficiently keen in America to make it impossible for any man to prefer the gains of private employment to the honors of high public office. Within four years we have seen three Cabinet members resign, in each case explaining their action on grounds of the superior attractiveness of private employment. Nothing of the kind ever happens in England or France, in Germany, Italy or Japan. Alone among the great nations America holds in light esteem the chance to assist in the making of history.

INJUNCTIONS in labor disputes will, we predict, become less popular with employers now that the weapon proves to be two-edged. The circumstances in the case of the International Ladies'

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Garment Workers Union against the Cloak, Suit and Skirt Manufacturer's Protective Association were, indeed peculiar. The association was proceeding deliberately and ruthlessly to destroy a formal agreement fixing conditions of employment for a period of time. Injunctions brought against labor usually rest on other grounds than the violation of an agreement. But the courts have exhibited great versatility in inventing new grounds on which injunctions against labor may lie. What is to prevent them from discovering the fact that the get together meetings of employers, which usually precede a concerted movement to cut wages, represent a conspiracy to wreak upon labor an injury not indemnifiable by the wage adjustments following the struggle thus evoked? The injunction, as applied in the field of industrial relations is, we firmly believe, an unmitigated evil. It serves only to becloud the issues and to drag the courts into discredit. But so long as it is used to bludgeon one party into insensibility, it is fair and politically expedient that the other party should also feel its weight occasionally.

ALL kinds of view-with-alarmists have raised their voices in protest at the menace of the agricultural bloc. In vain have others answered that a more powerful and far less well-intentioned bloc has long been centred in Wall Street. You say there is no such thing? Then read the bulletin recently issued by E. B. Smith and Co., New York bankers and brokers:

> It is inconceivable (says this bulletin) that the great Eastern business and banking interests will endure for long the meddlesome discrimination of politics dominated by the Middle West. . . . Ever since Senator Knox died last fall . . . . it has been apparent that the business interests of the East were not being represented in Congress in a way commensurate with the vital import of this section of the country. In all probability the fear will now be confirmed that conservatism in the Senate, as represented by the leadership of the Republican party, will yield to the radicalism of the Farmer bloc.

Is this a morituri te salutamus from the bloc which lives in Wall Street?

RUSSIAN cooperative societies are apparently to be reckoned with once more as active agencies of economic reconstruction. During the period of extreme Bolshevist militancy they were in eclipse, and the prevailing opinion outside of Russia was that they had been abolished, as out of harmony with Soviet principles of centralized economic control. That opinion was mistaken, it now appears from information furnished by the All-American Cooperative Commission. The Soviet government subjected them to control much as any bourgeois government, in time of similar national stress, subjected the agencies of food distribution to control. With peace the Russian cooperative societies have recovered their liberty of action, and further, are receiving all possible aid from the Soviet government. In the leasing of nationalized factories, the cooperative societies are given preference over private firms, as also in contracts for the collection and distribution of products. They suffer under the severe disadvantages involved in operating under conditions of economic disintegration. But on the other hand they do not have to fight against private enterprises which hold the chief strategic points, as in America.

AGRICULTURAL distress will not have been an unmixed evil if it brings home to the farming population the necessity of giving better support to the cooperative movement. It was agricultural distress, primarily, which first turned the attention of the farmers of Denmark toward cooperation. The competition of cheap grain and meat products from America meant ruin to the Danish farmers, so long as they trusted to the traditional methods of marketing their products and procuring their supplies. They were a hardheaded and individualistic lot, unpromising material, apparently, out of which to build a solid cooperative structure. But they had to build it or starve, and they chose the better alternative. And now that they realize how much can be gained through cooperation, nothing could induce them to go back to the old ways. The American farmer also is hardheaded and individualistic. But these are characteristics which a population can not afford to indulge too far in a period of chronic depression. Something has to be done to reduce the spread between the city price of farm products and the price received by the producer, and the equally disastrous spread between the factory and the farm prices of industrial products. Competition will not reduce the spread; nor will public regulation. Cooperation, and nothing else, will do it.

EXTREME prohibitionists who are seeking to lay profane hands on the sacramental wine skin need to be reminded that the thing has been done before, with unhappy results for all concerned. When Bacchus first appeared in Thrace, the prohibitionist king, Lycurgus, expelled him forcibly beyond the three mile limit. But Lycurgus perished miserably. Pentheus, King of Thebes, tried out the efficacy of jail sentence for the merry god, but what happened to Pentheus is too horrible to relate. The water drinking pirates of the Tyrrhenian attempted to regulate Bacchus on the high

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seas, with the result that they were themselves turned into dolphins, and the poor fish are there still. The prohibitionists are rash in advertising the fact that people of one religious persuasion are entitled to ten gallons of wine per family. Bacchus will hear of it, and before we know, he will be with us, his ruddy body clad in fawn skin, his thyrsus swinging merrily over his span of tipsy tigers. As in ancient times, his devotees will multiply, in spite of the seed of Lycurgus and Pentheus, and we shall have a great religious revival, with a hundred gallons per communicant interpreted into the law.

The Effect of Briand's Resignation

LIBERAL opinion throughout the world has received the substitution of Poincaré for Briand as Prime Minister of France with something like consternation. It seems to indicate the victory of the reactionary and irreconcilable group in French politics over the moderate group which seeks to adjust French national policy to the needs of the Allies and even the former enemies of France. There is much in the record of the past three years to justify this interpretation. Under the leadership of Millerand and Briand France has often threatened to have her way by violence, but at the last moment she always accepted an arrangement which kept the entente with Great Britain alive and which permitted Germany a few months of grace as a nominally independent power. M. Poincaré has inveterately opposed this policy of accommodation. Only a few weeks ago he advocated the occupation of the Ruhr Basin as a penalty for the certain failure of Germany to meet her impossible obligations under the London agreement of last May. He has acted as the spokesman of an extreme French national egotism which envisages Europe chiefly as a convenient handmaid for the satisfaction of French susceptibilities and interests.

Such is the record, and it would be unwise to underestimate its importance. M. Poincaré's premiership seriously increases the danger that under certain contingencies the French government will occupy the Ruhr Basin and render impossible any peaceful unravelling of the European political knot. When a man and a group threaten to do outrageous things as often as Poincaré and Co. have threatened, they are sometimes forced in order to escape personal humiliation to do what they threaten. Nevertheless even with M. Poincaré as Prime Minister the chances run against the adoption by the French government of offensive measures which will condemn France to utter and irretrievable isolation. Not only Poincaré but the other French leaders have flourished these threats chiefly for the purpose of scaring the German and the British governments into an offer of larger concessions to French interests. But they do not wish to make their threats good. They realize how fatal it might be for them and their country if they were compelled to lay their four flush upon the table. They have gambled upon the knowledge of British and German statesmen that even though France is not in a position to dominate Europe by force, she can ruin Europe for many generations by making the attempt.

Poincaré will probably avoid as successfully as his predecessors have avoided any course of action which completely isolates France. He will, of course, have to talk loud and to refuse to be as easily pleased as his immediate predecessors, but we doubt whether he will introduce any new and startling policy. His assumption of power does not mean in our opinion that France will actually behave worse than she has behaved in the past. It means only that she cannot adopt the course of better behavior recently initiated by M. Briand without a period of nationalist protest and internal political readjustment. It is the much less selfish and domineering attitude recently adopted by M. Briand which is the novel and disturbing element in the French political situation. His bargain with Lloyd George and the Genoa conference implied an abandonment of the policy of dominating Europe by threats of violence which to a greater or smaller extent all French premiers had followed since the armistice. M. Poincaré will continue this old policy of domination by threats of force, but he will be as reluctant as his predecessors have been to carry out the threats.

Since the armistice all French governments have acted on minor variations of the same baleful combination of political ideas. They have all aimed at perpetuating the preponderance on the continent of Europe which France obtained as the result of the defeat of Germany, the extinction of Austria-Hungary and the Bolshevizing of Russia. Yet they all wished to shirk responsibility for the welfare of other peoples and the lonely and dangerous eminence which French hegemony would involve. They were in the position of men who tried to convert a political and military superiority which in their hearts they knew to be a fiction into a reality. Hence although they were resolved not to let France return to the more modest function in the economy of Europe to which she is entitled by her population and resources, they could not

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agree upon a certain and safe way of avoiding this result. Their subconsciousness of the fundamental insecurity of the French position made them shrink away from and dread the political and moral isolation to which their pretensions increasingly condemned their country. In so far as they acted on a coherent policy, it was that of forcing the other European nations to let them play the leading rôle in the European political performance by a threat, published in the newspapers every morning, to burn down the opera house if it were taken away from them. They were all agreed in offering to the world the choice of accepting France as either the Alexander or the Attila of European politics.

This attitude has in the past been almost as characteristic of Briand as it has been of Poincaré. Whatever the former's convictions, he did not until recently succeed in overcoming the tendency towards irresponsible isolation in French policy. Under his leadership, as under that of Millerand, France has been an insuperable obstacle to the moral and economic recovery of Europe. But recently for the first time he assumed the risk of offending the most aggressive French nationalists by advancing much further in the direction of accommodation than he had ever dared to go before. The revelations of the actual position of France in relation to the opinion of the world and the failure of the French hope of obtaining special American assistance which were the fruits for Frenchmen of the Washington Conference, placed M. Briand in a political predicament. He decided that France must finally choose between moderating her own selfish pretensions and playing a more cooperative part in European politics or else of condemning herself to complete and perilous isolation. He made the choice for himself and he selected the better part.

Thus M. Briand's resignation is closely associated with his unhappy but perhaps salutary experience in this country. The French politicians forced him to resign, because during his sojourn in Washington French preponderance and prestige visibly diminished. The French government had planned and hoped to divide Great Britain from the United States and to use the division for the benefit of French national domination. Instead, the Conference resulted in an understanding between Great Britain and the United States. France for the first time since 1919 did not occupy the centre of the political stage. She was cast for a subordinate part and she played it in a disagreeable and unpopular manner. Chagrined by this eclipse of French at the hands of British prestige the French politicians sharpened their knives for Briand. Their opportunity came when the Premier at the instigation of Lloyd George put up an appearance of subordinating French national advantage to the general welfare and recovery of Europe. They accused him of betraying his country to perfidious Albion. Yet all that he had actually done which might be considered dangerous to France was to consent to a general European conference which if Europe is to check the existing drift towards disaster is obviously indispensable. In the matter of the Anglo-French treaty, he had driven with Lloyd George a sharp and an advantageous bargain for France. For he had secured from Great Britain a reassuring guarantee against attack without surrendering the occupation of the Rhine or agreeing to any compromise about reparations. His overthrow is an illustration of the importance which French politics in its present pathological condition attaches to the appearance rather than to the reality.

If this analysis is correct, there is one very important respect in which the fall of Briand may indirectly bring about a change for the better in French politics. Ever since the armistice the opposition in the Chamber of Deputies has criticized the government for its moderation rather than for its chauvinism. The intransigeance of the Chamber has frequently prevented the Prime Minister from moving, even if he would, in a conciliatory direction. This was particularly the case with M. Briand himself who seems really to have believed in accommodating French pretensions to the needs of a reunited and restored Europe. He was obliged to threaten, to insist and sometimes to domineer because only by such behavior could be retain his majority. But now for the first time the opposition in the Chamber will criticize the government for its tendency to violent and dangerous self-assertion and will urge upon French opinion the reality and desirability of a more accommodating policy. When M. Poincaré fails, as he certainly will fail, to obtain any substantial advantage for France by threatening once again to do fearful things, M. Briand can point out that his own policy promised to obtain as much if not more for France without incurring as much unpopularity or running such grievous risks. The oppositon, that is, will hereafter press the government to be more moderate, accommodating and realistic and will keep before French public opinion an alternative policy of conciliation rather than an alternative of greater violence. The result will, we hope, be to build up a French liberal party which may be strong enough to assume office when Poincaré's irreconcilability breaks down, and which may provide a comparatively secure majority for some future liberal French government.

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The Political Function of the Supreme Court

SENATOR BEVERIDGE, in his Life of John Marshall, has shown with new vividness that the Constitution of the United States is not a document whose text was divinely inspired, and whose meaning is to be proclaimed by an anointed priesthood removed from knowledge of the stress of life. It was born of the practical needs of government; it was intended for men in their temporal relations. The deepest significance of Marshall's magistracy is his recognition of the Constitution as a living framework within which the nation and the states could freely move through the inevitable growth and changes to be wrought by time and the great inventions.

But it requires the insight of a Marshall to be unflaggingly on the alert against perverting a great instrument of government into mere mystic words of a dead scholasticism.

Mr. Taft, before his accession to the Supreme Court, had shown impatience not merely with those who regard the Constitution as a document of human origin and directed to human ends, but even towards critics who ventured to suggest the human fallibility of those who construed the Constitution. To his mind, it seemed, the very words of the Constitution assured automatic infallibity to the interpretation of five men—if only those five men happened to have the "right" views and happened to be justices of the Supreme Court. Therefore, the New Republic made Mr. Taft's appointment as Chief Justice the occasion for expressing anew its conviction that a steady stream of enlightened criticism must play upon the work of the Supreme Court, if its transcendent function in exercising a virtual veto-power over national and state action is to be saved from destructive obscurantism.

Last week we briefly analyzed the meaning of the Chief Justice's opinion in holding that the right to an injunction is one of those "immutable principles of liberty and justice" which have been forever enshrined in the Constitution. By this decision and still more by the opinion sustaining it, Chief Justice Taft has justified the worst fears about him more quickly than the sturdiest sceptic was entitled to fear. But in what is presaged for the future by Chief Justice Taft in Truax *v.* Corrigan—the name of this case is destined to become even more classic than the Lochner case—a challenge is offered to all who find intolerable authoritarian rule by five men in contested fields of social policy, and that, too, of social policy which is the concern not of the entire nation but of the varying needs and purposes of each of the forty-eight states. The gravity of the issues thus raised compels us to repeat that the nature of the power which the majority of the Court exercised in Truax *v.* Corrigan, and the manner in which that power is wielded, call for fundamental scrutiny.

1. In any consideration of the power of the Supreme Court to nullify legislation, important distinctions between different spheres of its action must be observed. Some organ of government must maintain the equilibrium between the states and the nation. "For one in my place," Mr. Justice Holmes has told us, "sees how often a local policy prevails with those who are not trained to national views, and how often action is taken that embodies what the commerce clause was meant to end. But I am not aware that there is any serious desire to limit the Court's power in this regard." But even this power is not exercised by distilling the meaning of mystic words of the Constitution. The decisions under the commerce clause, either allowing or confining state action, are at bottom acts of statesmanship. A noted professor of constitutional law in Columbia University thus summarizes these cases under the commerce clause: "The Court has drawn its lines where it has drawn them because it has thought it wise to draw them there. The wisdom of its wisdom depends upon a judgment about practical matters and not upon a knowledge of the Constitution."

When we deal with the "due process" and the "equal protection of the law" clauses of the fifth and the fourteenth amendments, we are in a totally different domain of judicial action. Those amendments do not concern the delimitation between federal and state jurisdictions. They do not embody specific guarantees or limitations, such as the prohibition against ex post facto laws or state taxation of exports, which are relatively easy of application and allow comparatively meagre play for individual judgment as to policy. In these general "guarantees" and "limitations" upon federal and state action, we have the enunciation, as we have seen, of "immutable principles of liberty and justice." They embody "broad counsels of moderation . . . . intended to protect the individual against extravagant or invidious discrimination." Clearly, these open the door to the widest differences of opinion. Judgment upon them is bound to be determined by the experience, the environment, the imagination, the hopes and the fears of those who sit in judgment.

Should such power, affecting the intimate life of nation as well as states, be entrusted to five men? For that is the lowest common denominator of the problem. Its justification has been eloquently put by a great judge, who himself exercises this power with the utmost humility.

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> The great ideals of liberty and equality are preserved against the assaults of opportunism, the expediency of the passing hour, the erosion of small encroachments, the scorn and derision of those who have no patience with general principles, by enshrining them in constitutions, and consecrating to the task of their protection a body of defenders. . . . The restraining power of the judiciary does not manifest its chief worth in the few cases in which the legislature has gone beyond the lines that mark the limits of discretion. Rather shall we find its chief worth in making vocal and audible the ideals that might otherwise be silenced, in giving them continuity of life and of expression, in guiding and directing choice within the limits where choice ranges. This function should preserve to the Courts the power that now belongs to them, if only the power is exercised with insight into social values, and with suppleness of adaptation to changing social needs.

Has not the time come when an objective study, so far as that is possible, should be made of the actual operation of the power by which the Court cuts down Congressional and state legislation as offensive to the "due process" clause? Is it not necessary to make an appraisal of this judicial power in action, as revealed by such a series of decisions as the Lochner case, the Adair case, the Coppage case, Adams *v.* Tanner, and, now, the culminating Truax *v.* Corrigan? Can it fairly be said that this power of the Supreme Court *is* exercised "with insight into social values and with suppleness of adaptation to changing social needs?" Is the price of this power worth its cost? Is the invasion of "immutable principles of liberty and justice" by legislatures a sufficiently lively danger, in the light of experience, to call for this extraordinary trust of power to five men? We have the testimony of so conservative a student of constitutional law as Professor Freund (himself a supporter of the existing power of the Courts) that "It is unlikely that a legislature will otherwise than through inadvertence violate the most obvious and cardinal dictates of justice; gross miscarriages of justice are probably less frequent in legislation than they are in the judicial determination of controversies."

Over against the influence of judicial review as a restraining power upon unjust legislation is the power of paralysis upon just and needed legislation, because of fear of the judicial veto. Minimum wage legislation was ventured by some of the states more than ten years ago. Its Constitutional fate is still in doubt, with the result that the utilization of this tried social instrument has been largely retarded through fear of the overhanging judicial sword of Damocles. Moreover, if the exercise of this power has resulted in a series of indefensible decisions, calamitous in their immediate effects, and still more in their deeper consequences, has not the time come to ask if the nature of our legal education, the basis of judicial selections, and the conditions of judicial life are reasonably calculated to assure a handful of statesmanlike judges, capable of exercising such power "with insight into social values and with suppleness of adaptation to changing social needs?"

2. Granted this power of judicial review is to be retained, its true nature should be frankly recognized by the public, and frankly avowed by the courts. The simple fact of the matter is that in a decision like Truax *v.* Corrigan, the Court, under the guise of legal form, exercises political control. That the courts are especially fitted to be the ultimate arbiters of policy is an intelligent and a tenable doctrine. But let them and us face the fact that five justices of the Supreme Court *are* conscious molders of policy instead of the impersonal vehicles of revealed truth.

3. Such appreciation of the true function of the Supreme Court, in the aspects of the Constitution here considered, will at least make for a needed revision of attitude towards their qualifications and the public's responsibility in their selection. It will then be recognized that "the Constitution" which they profess to interpret is to no small degree the interpretation of *their* own experience and *their* "judgment about practical matters." Therefore, their background, their experience, their ability to transcend their experience, —all are pertinent matters of inquiry before putting a man for a lifetime upon the Supreme Bench. For the part played by unconscious partiality is tremendous. Lord Justice Scrutton, one of the powerful and conservative present-day English judges, has penetratingly expressed it. "The habits you are trained in, the people with whom you mix, lead to your having a certain class of ideas of such a nature that when you have to deal with other ideas you do not give as sound and accurate judgment as you would wish. This is one of the great difficulties at present with Labor. Labor says: 'Where are your impartial judges? They all move in the same circle as the employers, and they are all educated and nursed in the same ideas as the employers. How can a labor man or a trade unionist get impartial justice?" It is very difficult sometimes to be sure that you have put yourself into a thoroughly impartial position between two disputants, one of you own class and one not of your class."

This psychological fact is, of course, of infinitely greater significance with us than in England. There an Osborne judgment may promptly be corrected by Parliament; here Truax *v.* Corrigan becomes forever a strait-jacket for a free people until and unless the Supreme Court some day sees fit to change its mind. And this terrific veto-power over legislation may be exerted over the ordinances of

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every Gopher Prairie, and is potent against the local life of the individual states. The harm to our federalism resulting from the frustration of the free life of the individual states in their local affairs has been memorably emphasized by Mr. Justice Holmes:

> There is nothing that I more deprecate than the use of the fourteenth amendment beyond the absolute compulsion of its words to prevent the making of social experiments that an important part of the community desires, in the insulated chambers afforded by the several states, even though the experiments may seem futile or even noxious to me and to those whose judgment I most respect.

Surely the men who wield this power of life and death over legislation should be subjected to the most vigorous scrutiny before being given that power. In theory it is the people's power that they are wielding. In practice the people should determine whether they should be entrusted with this power. At the very least public opinion and the confirming authority of the Senate should be alive to an understanding of what the appointment of a Supreme Court Justice means.

The Senate: Pay As You Enter

> My heart is filled with thankfulness that the three years and four months of persecution have ended in complete vindication and exoneration of myself and all concerned.

SO Mr. Newberry, upon admission, after due payment for admission, to the Senate. Hypocrisy is perhaps too mild a word to apply to a man who feels himself "vindicated" when the "vindication" includes a statement that the "expenditure of such a sum (about $195,000) in behalf of a candidate either with or without his knowledge and consent, being contrary to sound public policy, harmful to the honor and dignity of the Senate and dangerous to the perpetuity of a free government, such excessive expenditures are hereby severely condemned and disapproved." What you did, Mr. Newberry, was dangerous to our government, and an insult to the Senate, but won't you sit with us just the same? It reminds one of the famous verdict "Not guilty, but don't do it again."

The country, while it will strongly disagree with the Senate's action, will surely agree that Mr. Newberry was guilty. The facts are only too plain. Mr. Newberry was a successful business man who had added to a large inheritance. In 1904 he ran for Congress, and in spite of a campaign characterized by a "wide-open barrel" he was beaten. 1918 found him a commander in the Navy, stationed in New York, which had for some time been more his home than Detroit. His name was not well known in his own state. Some time in the winter of 1917-1918, as one Templeton testifies, he said that a number of his friends had asked him to run for the Senate, and that he wanted a "business man's campaign." The money for the campaign was, he says, not supplied by himself. It was plentifully supplied by his friends, his brother, his brother-in-law. So plentifully was it supplied that some time before the Michigan primaries on August 27th, 1918, the scandal was all over the state. Newberry won by the narrow margin of only 4,335 votes. In the final contest against Henry Ford, he was returned to the Senate by some 7,500 votes in a total of 432,000.

Charges of violation of the Corrupt Practices act were brought against him, he was indicted, convicted and sentenced to two years' imprisonment. This verdict was reversed in the United States Supreme Court by the familiar 5-4 majority, in a decision which held that Congress had no power to make a law regulating senatorial primaries, a decision which was not concerned with the question of whether Newberry had or had not violated that law. So Newberry went to the Senate, where as a Republican he was during the Treaty fight, bolstering up his party's extremely narrow margin.

How is it possible to defend a man whose sentence to prison was upset on a mere technicality? One line of defence was taken by his colleague Senator Townsend of Michigan, who pointed out that Mr. Newberry had served in the navy, that both his sons and a son-in-law took an active part in the war, while Mr. Ford was a pacifist whose son did not enlist.

How did Mr. Newberry defend himself? Until his speech in the Senate on January 9th, he was completely silent for three years save for filing a few sworn statements to the effect that the campaign had not cost him, personally, a single cent. Before the Senate he said:

> The cost of the campaign was about $195,000 according to the report, and when I learned of this amount I was at once filled with astonishment and regret. . . . I can further say that in the acquisition of the money, in the solicitation of that money, in the collection of that money, in the use of that money, I had nothing whatever to do. I knew nothing whatever about it, not even the amount of it.

One is tempted to agree with Senator John Sharp Williams, who shouted out: "It's false as hell!"

But if we suppose that Mr. Newberry spoke the truth, the conclusions are no less damaging to him and to a Senate which seated him. The Senate has allowed a precedent to become established whereby any man can let his rich friends and relatives buy

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a seat for him and can escape the consequences, provided he keeps his eyes, ears and mind closed to all that they are doing on his behalf. If you number millionaires among your intimates, and wish to become Senator, run off to the Riviera and don't write any letters or open your mail until after election day. You may then be shocked at the money spent, but this need not prevent your making laws and speeches for your people.

There is an excess of innocence which should bar a man from office just as effectively as an excess of guilt. It is a matter of grave doubt whether the guilty but wise are not more valuable lawmakers than those as pitifully simple-minded as Mr. Newberry admits himself to have been. Can a man who knows nothing about the conditions under which he was elected until it is too late to do anything but regret them be expected to serve his country with intelligence? And if Mr. Newberry had any sense of honor or decency would he dare to accept a position after expressing his deep chagrin that so much money was spent in getting it for him? Innocent or guilty—and we enroll ourselves emphatically with those who believe him to be the latter—he is not fit to help administer any form of human society.

Many comments are to be heard to the effect that the admission of Mr. Newberry is a disgrace to the Senate, and there are cartoons picturing Uncle Sam gazing mournfully at a huge splotch of mud on the Senate's door. As if there were not sufficient mud already floating about in a body which could muster forty-six votes in favor of seating a beneficiary of corruption. We agree rather with Mr. Elmer Davis's friend Godfrey G. Gloom, the old fashioned Jeffersonian Democrat of Amity, Indiana, who remarked, "Well, if he's not in jail he might as well be in the Senate."

What led this august body of ninety-six legislators to betray themselves before a public already sceptical of their value and honor? How many of those who voted for Mr. Newberry could exhibit without fear of censure the amounts spent by themselves—or their brothers—in their own past campaigns? Did they perhaps decide that in all fairness they could not refuse entrance to a colleague whose sin differed from theirs only in degree? Where are you going to draw the line in the amount of money that may be spent in an election? That this money may be spent in faultless accord with the laws as they are is no adequate excuse, for we have learned that almost any idea or personality or candidacy may be "put over" by a sufficient flood of advertising.

To us such considerations seem so obvious that it is very hard to understand why forty-six Senators could be found to vote for Mr. Newberry. But try to put yourself in their place. Imagine you are a Senator, and have won and kept your seat by preserving a careful balance between the moods of your constituents and the demands of your party. You must decide: Shall I vote for Newberry or against him? If you vote for him, you may stir up a wasp's nest of popular indignation. If you vote against him you are betraying your party, and your party organization will turn and rend you at the next election. It is an even balance. The Senators who voted for Newberry proved that at the present time the fear of punishment from the party weighs heavier in their minds than the fear of the people's anger.

Forced Labor in Kansas

HAS Kansas invented a panacea for labor troubles in her industrial relations law? Or is she merely harking back to the mediaeval and early modern system of forced labor? An immense area of white paper has been sacrificed to the discussion of these questions. Because the Kansas experiment is new, and the condition of Kansas industry, as an incidental factor in a state primarily agricultural, is far from representative, the discussion has run in terms of hypothesis and abstractions. But discussion in such terms has always been extremely effective with the American people. Facts of experience are hard to digest when one is so busy as the typical American finds himself. And so we have large numbers of practical New Yorkers eager to inscribe a copy of the experimental Kansas law on the statute books of their state. We have also large numbers of New Yorkers crying industrial slavery when the project is mentioned, without offering any better facts to support their fears.

Yet there are illuminating facts to be had. In Kansas, where strikes have been made legally impossible, there is in fact a strike of some importance in progress. It is a strike of coal miners in the district centring in the town of Pittsburg. To the best of our information, it is an unjustified strike. It is outlawed by the national organization of the United Mine Workers, as in violation of the agreement between union and employers. And we see no prospect of industrial peace, nor of working class progress, unless agreements are kept inviolate. All that, however, is beside the point. Kansas is fighting the strikers, not because they are violating the agreement, nor because they have a bad case, but because they are striking. And what is most worth inquiring into is what measures Kansas is taking to stop men from striking.

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The police power of the state has naturally been invoked to prevent picketing, strikers' parades, labor meetings, etc. State troops have been called out to check disorder. Nothing new in that. The strikers are technically in the position of men who have thrown up their jobs. The employers are free to replace them, and are assured adequate police protection for themselves and their strike breaking employees. Still nothing new. But as might be expected in Kansas, and as surely would be the case in a more highly industrialized state, strike breakers do not appear in sufficient numbers to operate the industry successfully. That is a serious predicament for a state which has advertised so widely that it has found the sovereign remedy for strikes. The strikers, vacationists, or whatever one chooses to call them, must be compelled to go back to work, or the whole scheme fails.

Is it not a man's constitutional right to accept employment or not, as he pleases? Not necessarily, if he is poor. We have taken over from the England of Elizabeth's time and earlier the principle that vagrancy is a public offence. That principle was part and parcel of the forced labor system, but whatever its nature, we still employ it. And the state of Kansas has seized upon it as an appropriate means for helping it out of the difficulty in which it finds itself. On January 4th Attorney-General Hopkins met the peace officers and city officials of the two counties affected by the strike and demanded that every city in the district should pass the following ordinance:

> Any person engaged in any unlawful calling whatever, or who shall be found loitering without visible means of support or who, being without visible means of support, shall refuse to work when work at fair wages is to be procured in the community, or who shall threaten violence or personal injury to fellow workmen or to employers of labor shall be deemed a vagrant, and, upon conviction thereof shall be imprisoned in the city jail for a period of not less than ten days nor more than 30 days for each offense, and shall be compelled to work at hard labor until sentence is fully complied

"No man can be compelled to mine coal," declared the Attorney-General, as reported in the Pittsburg Searchlight. "He can quit any hour he wants to. But no man can quit work, be a loafer and depend on charity whether it comes from inside Kansas or outside Kansas, if there is work to be had in the community." By way of interpretation we may point out the "charity" in question consists of funds voted by unions in Kansas and Illinois.

But what if a striker is able to live without such funds? Mayor Naylor of Scammon inquired if men owning their own homes and whose credit was good with the grocers could be convicted under the vagrancy ordinance. "A man may be a vagrant though his credit is good at the grocer's if work is to be procured in the community and he does not work," replied the Attorney-General. "The law contemplates that every able bodied man work if work is obtainable in his community." He further emphasized the fact that persuading other men not to work is an unlawful occupation in Kansas and brings a man within the terms of the vagrancy law.

"What about men who tried to go back to work but can't get their old jobs back?" inquired Mayor Chadsey of Cherokee.

"They better let no grass grow under their feet about getting work of some sort," the Attorney-General replied. "It would be up to them to prove that they had in good faith exhausted all possibilities of getting employment."

Some of the cities in the district adopted at once the ordinance framed by the Attorney-General. So far as we have been able to ascertain, none even demurred against having such an ordinance forced upon them. It occurred to no one except the miners and their representatives that there was anything illiberal and un-American in the principle involved. If one accepts the Kansas scheme of industrial relations control, why should he stick at its logical consequence, forced labor?

We submit that while the Kansas experiment has not attained to conclusive results in every direction, it has established beyond question its dependence upon the principle of forced labor. And we think that common honesty as well as considerations of efficiency, demand the insertion in every project for the adoption of similar laws by other states, of specific provisions for forcing disaffected laborers to work or go to jail. Then the legislator will know what he is voting for, and what he will have to answer for to his constituents.

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The Creed of an Aesthete

MR. BERNARD SHAW is an admirable writer and a wit; he is one of the dozen living Englishmen whose prose is perfectly respectable; to compare him with Swift though unkind is not absurd; but he is not an artist, much less an aesthete. The difference between an artist and an aesthete is, I suppose, the difference between one who can create and one who can appreciate beauty: most artists are aesthetes as well —but not all. However, the difference does not concern me here because I am going to deal exclusively with appreciation, and, confining myself to the term "aesthete"—under which may be ranged most artists—modestly draw attention to the fact that there are in the world quite a number of people to whom it may be applied, though apparently Mr. Shaw is unaware of their existence.

Mr. Shaw is a didactic; and one of the differences between didactics and aesthetes is that, whereas the latter rejoice in the knowledge that it takes all sorts to make a world, didactics are unable to believe that there are people who, without malice or stupidity, are fundamentally different from themselves. Thus Mr. Shaw, one of the cleverest men alive, comes out, on the fortieth page of his new book Back to Methuselah, with a statement so astonishingly false that I read it through four times before I would accept its obvious import. After stating quite fairly, so far as I can judge, the Darwinian theory of Natural Selection and Survival—a theory as to the validity of which I have no opinion, not being deep in science—Mr. Shaw rejects it on the ground that it makes nonsense of "Beauty, Intelligence, Honour" etc. "When its whole significance dawns on you," says he, "your heart sinks into a heap of sand within you": and he is quite sure that "this hideous fatalism," as he calls it, will never be accepted by people who care for Beauty, Truth, Love, Honour, etc., etc., because, by depriving these things of their divine origin and purpose, it deprives them of their value. If Life be a mere purposeless accident, the finest things in it must appear to everyone worthless. That is what Mr. Shaw thinks, and the sooner he knows that it is not so the better. Whatever he may feel, the people who really care for beauty do not care for it because it comes from God or leads to anything. They care for it in itself; what is more, that is how they care for all the fine things in life.

The advantage of being an aesthete is that one is able to appreciate the significance of all that comes to one through the senses: one feels things as ends instead of worrying about them as means. And this intrinsic significance of external reality is so intensely moving and so various that it completely satisfies those who can apprehend it. Mr. Shaw may be right and the neo-Darwinians wrong; life may be Heaven-sent and Heaven-directed towards some inconceivably glorious future: but, whether this be so or not, always life will be worth living by those who find in it things which make them feel to the limit of their capacity. Whatever its origin, beauty exists and so does the sensibility which reacts to it. A rose is a development of a briar which is a development of God-knows-what—and, incidentally, it grows out of manure; its beauties of form and color and smell appeal to a sense in me which may have grown out of primal lusts and appetites; but when I contemplate a rose I am not enjoying a chapter of natural history and I am using my sense of beauty and not my palate. Odd as it must seem to Mr. Shaw, I at this moment, am enjoying a yellow rose, my contemporary; and though men of science assure me that both the rose and the I of this moment are the products of all preceding moments, our disgraceful past no more destroys my present pleasure than does my conviction that before long both the rose and I must perish.

Whatever is precious and beautiful in life is precious and beautiful irrespective of beginning and end. I have no patience with the snobbery that is forever deploring or denying our disreputable ancestry in a fortuitous concourse of atoms, or with the sentimentality that cannot do without a happy ending. Not long ago, one of that nasty brood of pseudo-scientists who nestle like woodlice in the decaying doctrine of Freud, produced a theory with an unprintable name from which it seemed to follow that our romantic and passionate feelings were merely developments of a disgusting habit which, if really common amongst German children, is probably the symptom of some mental disorder induced by under-feeding. Would you believe it, the sentimentalists who happened to come across this theory were up in arms against it, not on account of its manifest improbability, but because, if true, it would make nonsense of their emotions? As if every amorous experience, from the grandest passion to the flutteringest flirtation, were not a real and complete thing as distinct from its origins as a glass of champagne is distinct from the chalk hills of the Tardenois. Long

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before the neo-Freudians came pestering us with their ill-founded generalisations, men of science had demonstrated the probability that all that is most rare and complex in our spiritual make-up can be traced back to the most elementary animal desires. What difference does that make? The pleasure I take in listening to the music of Mozart may, possibly, be derived from the anticipatory orgasms of a cave-dweller listening to the bird he hopes to catch and eat. Mozart is not a pigeon on that account, neither are my feelings esurient. The antecedents of Mozart's music and of my feelings have nothing to do with the present value of either. And though it should be proved up to the hilt that the world in which we live was created by a fluke and by a fluke will be destroyed, that would detract nothing from its aesthetic significance.

The great good fortune of aesthetes is their capacity for seeing things as ends whereby alone is one able to taste this significance. To Mr. Shaw their capacity for enjoying life seems childish, and aesthetes, I fancy, will accept the epithet as complimentary and not inexact. Certainly children have a direct sense of things; and that is why gutter-snipes playing on a dust-heap appear to people like Mr. Shaw unreasonably and irritatingly happy. Certainly about the happiness of those who appreciate the beauty, romance and fun of life there is a tipsy light-heartedness which reminds me of the irresponsible gaiety of schoolboys. These are merry because they have something to be merry about—the fullness of life and the glory thereof: whereas those unfortunate people who can never feel things in themselves but only can take an interest in their causes and effects are naturally worried, seeing that of ultimate causes and effects we can really know nothing at all. We can comprehend—embrace, that means—only the present; the rest is shadowy and unsure: wherefore, I am sorry to say, those who cannot live in the moment but must worry about the past and future are obliged to "make up". My grandmother did it: she made up a nice old gentleman with a long white beard who caused all, directed all, and would in the end make us all happy. Mr. Shaw does not like him, and has made up instead a, to my taste, less attractive figure, called "The Life-Force", of whom he knows precisely as much as old Mrs. Bell did of Jehovah. When Mr. Shaw's "grown-ups" are asked what they want, they reply, "Immortality"; and when Mr. Shaw, who has ruled out as "childish" Love and Art, is asked how they will spend their immortality, he replies "in thought"; and when we pull a wry face at the prospect of endless and unmitigated cogitation, he sternly gives us to understand that we shall like it when we get there: my grandmother did the same when we, sceptical brats, protested that we should weary of playing on harps and casting our golden crowns upon the glassy sea.

It is only natural, I suppose, that those who cannot find happiness in the present because they want the power of appreciation should clamor for immortality,—need I say that it is not for personal immortality but for the immortality of the race, the endless continuity of life, that Mr. Shaw clamors? Yet it seems to me that even this betrays a lack of courage. If we can enjoy our individual lives, knowing them finite, surely it should not be impossible to face the fact of universal death. Men of science, whom of course Mr. Shaw cannot allow himself to trust, assure us that Life, as we understand it, can exist only in conditions which have not always existed and will not exist always; that Man is doomed as inevitably as Everyman. It may be so. Meanwhile I am finishing this article and I have finished Back to Methuselah. The sun is blazing into the square, but into my cool room it comes pleasantly filtered through blinds. It is lunch time; and after lunch I shall light a pipe and sit reading, not Mr. Shaw's admirable treatise, but the penultimate volume of Proust—an artist if ever there was one. I shall dine with a charming companion and go to the ballet where they give Petrouscha, Sacre du Printemps, and Carnaval: Lopokova will dance. Later to a gay supper, with a dozen delightful people in a house full of beautiful objects: if Arthur Rubinstein is in good humor surely he will play the piano. And so home under stars, smoking a cheroot in the warm stillness of the sleeping streets and squares, sauntering up all the long loneliness of Piccadilly, and only at the beginning of ugly Shaftesbury Avenue picking up a "taxi-cab". The fruit and flowers go rumbling into Covent Garden. It is dawn almost. "And tomorrow we die"? So be it.

CLIVE BELL.

Code

If ever I sit quite still, quite still
As if I were wax and dumb;
Know I am calling with all my will
And if you are wise, you'll come.

But if I should take one step your way
And beckon with eyes or hand
Neglect me still to my chosen day.
Now *that* you may understond.

ANNA WICKHAM.

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Controlled Fecundity

NOT long ago President Harding noticed in the photogravure section of a Sunday newspaper the picture of Mr. and Mrs. Domenico Zaccahea of New York City and their sixteen children; whereupon he wrote Mrs. Zaccahea congratulating her upon being the mother of such a splendid brood. The gesture won the President friends, no doubt, but did it strike a note which needs to be struck? The father of this family is a porter at twenty dollars a week. There is no evidence that he has unusual gifts to endow his children with. By complimenting him the President of the United States encourages our millions of commonplace citizens to court the gratitude of their country by begetting families of sixteen children. Is the country in need of them?

1.

The other day I greeted a former student of mine who was born in 1830 when the world had had but half as many inhabitants as today. In her life time she has seen 850 millions of persons added to the human race!

Race suicide? Since this phrase was launched twenty years ago, portentous big-wigs have been wont to send a chill down the spine of their hearers by picturing the enlightened stocks and peoples as headed for extinction because the full quivers of olden times are becoming rare. The clergyman with few children or none at all has felt entitled to thunder like a Hebrew prophet at couples who stop at three or four children whereas their grandparents gave the world ten or a dozen. Family restriction—which first showed itself in the vital statistics of France about the middle of the last century, became visible in England in 1878, began leaving its mark on Belgium, Holland, Switzerland and Australia in the eighties, attracted notice in Italy, Hungary and Finland just before the close of the century, and appeared in Germany and Austria in the last decade before the war—has been pointed to as if it were a spreading leprosy. No one stops to consider where these peoples would find themselves today if they had gone on having progeny in the old happy-go-lucky fashion.

Every thoughtful person has heard of the shrinkage of the birth rate and has been urged to confront it as "a grave problem." On the other hand, few but statisticians, life insurance actuaries and public health officers have noticed the extraordinary lowering of the death rate which has been brought about in the last forty years. No one has viewed it "with alarm" or lifted a trumpet against it. It has stolen upon us quietly like a genial south wind in February, like a night drizzle after an August drouth. And yet in most countries, so far as population growth is concerned, it quite balances and neutralizes that shortage of the baby crop which has inspired so many gloomy prophecies.

The thing is as plain as the black and white squares on a chess-board. Take the fourteen European countries which have worthwhile vital statistics running back for forty years or more. Compare their records for the half-decade 1881-5, with those of the last half-decade before the war, viz., 1906-10. You will find that in *nine* of them the death rate fell farther than the birth rate; so that in 1910 their natural increase was actually *greater* than it had been a quarter of a century earlier, before forethought and prudence in the matter of family had given much evidence of its presence among the masses. Taking the average for the fourteen peoples, it appears that while the number of annual *births* per thousand of the general population was *five* less at the end of the period, the number of annual deaths per thousand was *five and one-half* less!

Our own country has been tardy in collecting vital statistics. However, we have this most significant fact. In 1900 the death rate in our "registration area"—which then included two-fifths of the American people—was 17.6 per thousand of the population. In 1919 in a registration area which had expanded until it included three-fourths of us, the rate was 13—a reduction of a fourth in nineteen years!

2.

Save our ingenuity in devising contrivances for blotting out human life, nothing in our time is so sensational as our success in vanquishing certain diseases. For example, in 1911 in the United States the deaths per 100,000 population from the fevers, including typhoid, typhus and malaria, were only *one seventy-third* as numerous as the deaths from these causes in British India. The progress of child-saving alone suffices to offset a large part of the fall in the birth rate. Peeps into the infant mortality of the less advanced peoples suggest that right down through history from a third to two-thirds of those born have perished in the cradle. A decade ago a quarter of the babies born in Hungary and Russia failed to live a year. In Chile in 1913 I found the loss to be a third, in

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some cities 47 percent! Not long ago Moscow parents were losing half their infants within a twelve month. As for the Orient, the fate of its innocents is horrifying.

On the other hand, where the lessons of modern hygiene and medicine have been well conned, infants are saved with a success that our forefathers would have attributed to magic. Already there are perhaps a dozen peoples that are getting more than nine-tenths of their children through the first year of life. Our country is near the foot of this enviable class but, nevertheless, there are twenty-five American cities which save nineteen babies out of twenty. It is in New Zealand, however, that the wee ones bear a charmed life. In that happy land there are good-sized cities that lose in the first year only *one infant in twenty-seven!*

3.

That in our huge composite American population clogged with some extremely backward elements Death should take, year after year, but one in seventy or one in seventy-five is an utterly new thing in the experience of peoples. Even if we were a stationary people and not an expanding people, only one in fifty-five or so would die in a twelve month. In all the life of our race extending over a thousand centuries and more the like of this has never been known. It behooves us to *adapt* our behavior to it as we adapt our behavior to artificial light or power machinery or the automobile. But we *see* these things, so we recognize at once the necessity of conforming our conduct to them. On the other hand most of us *do not see* this latter-day crippling of Azrael and therefore do not realize that any change in our standards of judgment is called for.

For example, through its first millennium and a half—during which its doctrines crystallized—the Christian Church was in the presence of a human mortality which must have been from two to four times that which we experience today. Naturally the Church became fixed in the idea that overpopulation is nothing to worry about and in her inspired wisdom she branded as a sin the deliberate curtailment of conjugal fecundity. Can this position be maintained indefinitely into the future in view of the astounding success of modern medical science and sanitation in enabling people to live out a normal life term?

4.

If only the good men who are so dogmatic in this matter would condescend to apply the test of arithmetic!

Conceive that as a people we came under the conviction of sin with respect to our current widespread practice of restricting the size of the family. Suppose that, while keeping mortality down to thirteen per thousand, our women should feel it their duty to emulate the prolificacy of the hausfraus of Prussia during the decade before the war when the Kaiser constantly incited them to produce what turned out to be "cannon-fodder." Ignore migration into or out of this country. Well, then, by the end of this century the United States would contain more people than all Europe does today.

Suppose again that, while preserving human life with our present success, we should for the next seventy-nine years have children at the present rate of the Spaniards, the Portuguese and the Italians. In that case, the year 2,000 A. D. would see the population of our country more than 500 millions.

However, the Teutons taught us to stigmatize the Latins as "decadent," and there is, indeed, reason for suspecting that in these peoples a great many couples have no more children than they think they can provide for. Their upper class and intelligentsia are by no means careless multipliers. Let us turn, then, to the simple and unspoiled peoples of the Balkans. If American women should give themselves to child-bearing with the wholeheartedness of the women of Bulgaria and Rumania, by the close of this century our country, if it kept its present mortality, would boast as many human beings as there are now in all Asia and Africa!

Go a bit further. Suppose that American womanhood rose still more nobly to the demands of their Heaven-ordained destiny. Imagine that they bore children as freely as the secluded wives of British India or the women of Russia under Nicholas II. Of course, with so many babies in the population, it would be hard to keep our low death rate. Then too, low mortality and big families simply do not go together. Various studies show members of families of more than nine are two or three times as likely to perish in their infancy as those born into families of less than five. Moreover, many women would have their lives cut short by excessive child-bearing. There are settlements of the foreign-born in our Middle West in which the typical woman dies trying to bring into the world a twelfth, fifteenth or twentieth baby.

Nevertheless, imagine that with the aid of more skill and science we could hold our death rate down to thirteen while the birth rate swelled to forty-eight per thousand. In that case our country at the end of this century would have a population

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equal to that of the entire globe at the outbreak of the World War!

Let us venture on another hypothesis. More than any people in the world the French Canadians realize what we are authoritatively assured is the Christian ideal in this matter of reproduction. Nowhere are women so submissive to the admonitions of their spiritual director, so resigned to the burden of children that is laid upon them. Hence a fecundity in certain parts of the province of Quebec which is not matched in any other part of the world where there is such a thing as vital statistics. In a year fifty-five babies are born per thousand of population—nearly two and a half times as many as in our "registration area."

To be sure, it is the grave-yard rather than the nursery that is populated by these heroic sacrifices. Students of the Loyola School of Sociology and Social Service in Montreal have established that a baby born in that city is twice as likely to die in infancy as a Toronto baby, more than twice as likely to die as a New York baby and four times as likely not to survive the first year as a baby born in Brookline, Massachusetts. This, however, has really nothing to do with the matter of fulfilling our duty in respect to reproduction.

Now if our people came to be as docile and devout as these habitans of French Canada, every couple willing to have "as many children as God sends," why then about three thousand of those born among us this year would as octogenarians see our country peopled by three billions of human beings, that is, by thrice the population of Asia and Africa today with seventy million folks thrown in for good measure. Of course no such numbers could be maintained here, but the calculation shows what we let ourselves in for if we take the Zaccahea family as our ideal.

Suppose that, instead of looking at the performance of other peoples, we should go to our ancestors for a standard. We do not know the birth rate or death rate of our great grandparents, but we do know that through the forty years intervening between the inauguration of George Washington and that of Andrew Jackson the natural growth of our population averaged three percent a year. Should we equal their record for the remainder of this century the American people would then be two-thirds as numerous as the present inhabitants of the globe!

5.

With such Matterhorns of prolificacy in full view, how mortifying appears the actual performance of American mothers. Even with the aid of the millions of big-family foreign-born in our midst, their fruitfulness is only about about a third of that of the French Canadians in the good old days and a mere half of what you find among the Slavic peoples. Our excess of births over deaths is only seventy percent. Our natural growth of population is a little less than one percent a year. Keeping this up for eighty years and ignoring immigration, we should come to the year 2,000 A. D. with only 222 millions of population.

It is evident then that millions upon millions of American married couples—perhaps the majority of those of native stock—are in some degree slackers. They are regulating the size of their families and this by other means than marital abstinence. Nor is there any prospect that the situation will improve. For the death rate of our people will be brought still lower. In twenty years the experimenters, the doctors, the public health agencies and the social workers have pulled it down more than a quarter. Perhaps they can pare it down another quarter in the next twenty years. Why, even if there were no fresh conquests of disease, the mere putting into effect *everywhere* among us of measures which are now operating with success *somewhere* would reduce our death rate to one in a hundred each year. So one need not strain his imagination in forecasting an annual mortality of nine in a thousand or even eight. But as more parents and grandparents round out their lives and death is well-nigh banished from the nursery, there will be fewer gaps in families to be filled and we shall see the annual baby crop shrink to nineteen or even eighteen. Even then, however, our population will be growing as fast as it now is and certainly as fast as it is possible for it to grow without lowering our standard of living.

There is, then, ahead of us an endless vista of restriction of the size of families. We shall leave unused an increasing portion of that fertility which became established in our species long ago in order to meet a rate of wastage which no longer presents itself in civilized life. In China about all of human natural fertility is needed in order to balance deaths, particularly the excessive mortality of infants. In southern and eastern Europe about half of this fertility is now required to maintain numbers. In central Europe a third. In Scandinavia, Great Britain, Australasia and the United States a fourth or less. Some of us will live to a time when a fifth or even a sixth of human reproductive power will suffice to keep up our population. To be sure, after several decades a stationary population would include such heavy contingents of the later age-classes that the annual death rate would hover in the neighborhood of fifteen, and perhaps thirty percent of human fertility would be

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required if numbers were to be maintained. Even then, however, the calling into operation of as much as half of the reproductive power of our race would be sheer madness.

Fewer births in sympathy with fewer deaths, in order that human increase shall not outrun wealth production, signifies that a new thing has come into the life of mankind, viz., a fecundity that *adapts* itself to the economic prospect. In view of their miraculous victories over disease *adaptive fecundity* is, indeed, the only safeguard of the enlightened peoples against the dismal fate of overcrowded China. If such deliberate limitation of family size is a sin, then what an appalling prospect of Divine displeasure opens up! For with further reductions in the mortality rate an increasing proportion of American parents, an increasing proportion of the members of the white race, an increasing number of the peoples of the globe will either have to violate what they are assured is God's law or else multiply until it will be necessary to hang out on our planet the "Standing Room Only" sign!

6.

If we have no cause to fear lest the advanced peoples grow too slowly it does not follow that all is well. Curtailment of fecundity is most practiced by the capable and ambitious and least by the inert and commonplace. Hence the people grows faster at the bottom than at the top. While the general American birth rate is quite reasonable under the circumstances there ought to be bigger families among the rising, and smaller families among the stagnating, more progeny left by the gifted, and fewer by the dull, less prudence in the good homes and less recklessness in the hovels and tenements.

But that, as Kipling would say, is another story.

EDWARD ALSWORTH ROSS.

Mr. X. of the Movies

THE men who make motion pictures have decided that they know the answer to the perennial question, "What's wrong with the movies?" Too much criticism by outsiders who don't know what they are talking about is the chief and almost the only trouble, so they say.

And there is something in it. It is temptingly easy for the brisk journalist to turn his penny with two thousand trenchant words on The Menace of the Movies to literature or drama or morals or eyesight or children. The process consists in testing motion pictures by a standard to which they have never pretended to conform, such as drama or literature, and then showing triumphantly how far they are from achieving it. Editors who have perhaps had their own scenarios rejected, like these articles; the good, solid readers of good, solid publications who have been asphyxiated, mentally and physically, while seeing bad films in bad theatres, like to read them; and the journalist has been worthy of his hire. The motion picture industry, which did not exist two decades ago, and is now, as we read in every issue of every daily newspaper, fourth or third—or is it first?—in the country in size, can afford a benignant smile at the pin pricks from the lances thus levelled.

Or rather, could afford such a smile, until about a year ago. The past twelve months have been sorry ones for the inhabitants of the world of celluloid. Prosperous companies have dried up and blown away; directors' and actors' salaries have been cut and cut again, to a half, a quarter of the sums received in the departed Age of Gold. In our best theatres may be seen dreadful films made long ago and laid away because they were then deemed too dreadful to be inflicted on the public. "Fewer and Better Pictures" becomes the slogan of the industry—a sad and worldly-wise slogan which indicates that the glorious days of expansive youth are passed forever. There is no time so appropriate for heart searching as when one's smooth progress onward and upward has suddenly been halted. The industry seems to be in a mood for that heart searching today.

What's wrong with the movies? Recognizing the fact that no outsider has the right to sit in judgment on performances when he is unaware of the difficulties of their creation, I think I can narrate a story which throws some light on the matter. To put the worst foot forward, let me plump out the fact that the incident has to do with the attempt to sell an idea to the motion picture industry—an unsuccessful attempt. This fact of course provides a ready-made and crushing reply to my animadversions from the motion picture people, should they deem it worth while.

Taking a leaf from Henry Adams's book, to say nothing of Edward Bok, let us call our protagonist Mr. X. X. is one of those incorrigible Wellsians who reads all the works of the great H. G. as fast as they appear and converts himself with the most protean readiness from one

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thing to another—student of modern married love—devotee of war-torn England—observer of the invisible king-god—revolutionist in education—friend of Bolshevist Russia—philosophic internationalist—world historian. He dived into the Outline of History on the day of publication and emerged only slightly bedraggled a week later with an Idea of his own—as even a solitary Swedish match might burst into flame if it got close enough to an eruption of Vesuvius.

Mr. X. was caught by the Wellsian notion that the way to prevent war is to make people realize the horror and futility of all past wars. He decided that if everybody everywhere could come to know the common history of mankind somewhat as Mr. Wells had come to know it in writing this book they might get along with one another better.

A practical man is not happy without asking, How could it be done? Some inspired millionaire might provide funds for translating the work into all known languages; but unfortunately it appears that a majority of all mankind cannot read and write. And those who can, won't; and many of those who can and will are probably incapable of getting through twelve hundred close-packed pages of fairly tough historical matter.

So Mr. X. incubated his great idea: a motion picture version of the Outline of History. A picture which in ten glorious reels would give all the important things from the primordial slime to Mr. Hearst. Mr. X. has spent many happy days loafing, a tolerated spectator, in motion picture studios, and his mind went at once to some of the possibilities of such a film. He saw a map thrown upon the screen in simple outline—a map of the Near East, for example. Up in the northwest corner appears a stain, the beginning of Alexander's empire. It grows to the eastward, turns south along the coast, then east again, doubles back upon itself, is stationary for an instant, cracks into minor kingdoms with Alexander's death. No amount of dreary plodding through text could give you the same notion of the empire, its growth and decay, that can be had in a few effortless minutes of watching such a scene as this.

Or again, there are those prehistoric animals. Nobody except Henry Fairfield Osborne remembers the difference between a pterodactyl and a diplodocus, and how the ichthyosaurus differs from both. But you could make miniature clay models of the monsters, you could set them against a little prehistoric landscape, and by moving the models slightly between each two "shots" of the camera, you could flash upon the screen that veritable prehistoric world, with its inhabitants crawling, hopping or galloping each after his kind.

And then, X. said to himself, there are battlefields! They could be shown in aeroplane perspective, with bodies of troops moving about like dominoes on a tablecloth, advancing, retreating, breaking up into a splatter of wounded and dead. And here and there in the course of the film, naturally, you would put real actors on the screen in the habiliments of the great ones of earth, and let them act out the big moments, the braveries, fears and passions of those far-off lives.

Such a motion picture as this would need no translating. The clucking Kaffirs of Africa, Chinamen squatting on their heels in rows, union members in New South Wales, dairymaids in Denmark could learn it all and feel the katharsis of pity for this wretched but interesting human race.

In the excitement of his idea, X. sat down and wrote to Mr. Wells about it. By return mail that astonishing gentleman replied approving the suggestion and requesting X. to go ahead with it. All that remained was to explain it to a motion picture producer; and then would come the fun of helping producer aforesaid and Mr. Wells to make the film.

Armed with the magic letter from H. G. W., Mr. X. thereupon set forth on his rounds. He called upon one of the leading figures in the motion picture industry and explained the idea, enthusiastically and at length.

Said the great man of the movies firmly and curtly:

"No! Nuttin' in that costume stuff!"

He had caught the word "history," it appears. History to him meant costume stuff. He had been inveigled once into making a play laid in Queen Elizabeth's time. It had not done well.

Another magnate of movies rejected the notion with equal decision when the point about moving maps was reached. He seemed to decide that what Mr. X. was trying to suggest was animated cartoons. They were no good, he explained, for more than one reel, or two at the most. Bud Fisher had tried it out with Mutt and Jeff, and it didn't work.

Not all the producers reached the high-water mark represented in these two incidents. One company thought it might consider the enterprise if the history of the world could be rewritten into twenty-five releases of two reels each, to be shown from week to week as a sort of serial. One gentleman said he'd be glad to take $500,000 of somebody else's money and make the film; nor would he ask any share whatever in the subsequent profits.

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For various reasons, acceptance of this offer seemed impracticable.

But the real heart of the matter lies in a fact which was recognized by every producer who was approached, whether he showed any interest in making the film or not. One and all agreed that the production would be utterly useless, no matter how well done, because the owners of motion picture theatres would not exhibit such a film. And no facilities exist anywhere in the world for bringing to the public a motion picture which does not please the fancy of the highly commercialized managers of commercial motion picture theatres.

You can understand this situation better if you think of it in terms of the more familiar trade of publishing. Suppose, for instance, that the only periodical published in New York City were Mr. Hearst's Evening Journal and that no books or magazines were circulated. If every short-story writer, novelist, essayist, had to please the editors of the Evening Journal to obtain publication, what would happen to their art?

Or suppose a book store devoted all its energies to selling copies of one book today, and another book tomorrow; and the book store proprietor, who was very likely a plumber or laundry-wagon driver before he took up literature, insisted on reading all his books before putting them on sale. He would choose, naturally, what he regarded as "sure-fire stuff" and this would mean Zane Grey if it didn't mean Harold Bell Wright.

It is literally true that no motion picture producer dares offer to the exhibitors a picture which is over their collective heads. Nor do the exhibitors, as sensible business men dare show films which may appeal to them personally but seem likely to go over the heads of their average audiences. And anyone who goes frequently to the movies and studies the spectators must admit that all indicia show their general level of intelligence is far below that of the book-reading public.

Some day, no doubt, we shall remedy this. A way will be found for presenting special films to special audiences. As this mechanism is developed, special producers will enter the field—if they are not already concealed in odd corners of it, smothered under the necessity of turning out sugar and sex. It would be unfair not to point out the excellent work which is, in fact, being done already in the field of the minor productions used to fill out a program of which the pièce de resistance is the usual feature film. Thousands of intelligent people go to the movies to see the "scenics," travel pictures, nature studies, microscopic photography and the like. Doubtless there are exhibitors to whom these parts of their program are more interesting than the dramas. Yet in spite of the fact that the project has frequently been discussed, no one dares open a theatre exclusively devoted to these "incidentals."

It might be argued that the situation here outlined, which is typified by the experience of Mr. X., does not really matter; that educated people can get along without the movies in the future as in the past, leaving them to run their course, with the dime novels and blood-curdling melodramas of an earlier day.

The point might be well taken were it not for two facts. The first is the greater importance of the movies, both quantitatively and qualitatively. Fifteen millions see them every day in the United States, we are told; and while this estimate is doubtless a wild guess, the number is certainly large. Because of its vivid impression, the motion picture does much more to shape the life of the spectator than did its predecessors.

The second important factor grows out of this last point. Plenty of educators may be found who think some day motion pictures will be the cornerstone of our whole school system. There are dangers in this idea; but on the whole, the dangers are outweighed by such advantages as I have already hinted at. It is hard to imagine the development of a useful educational purpose linked only in the field of entertainment to the sort of turgid and silly stuff which now predominates.

But while we await the millennium, The Outline of History apparently must remain unmarried to the film. Its lesson will penetrate the minds of a scant million or so (on the basis of three or four readers to each printed copy) instead of five hundred times that number. Mr. X. wants it clearly understood that he must therefore refuse to accept any personal responsibility for wars which may take place during the remainder of his lifetime.

BRUCE BLIVEN.

Beware!

To Baba, Playing a Nocturne by Chopin.

Baba flourishes and dips,
Little gestures poise and gleam;
Now her shiny finger-tips
Strike the surface of the stream.

Now she plunges both her wrists
In the water blue as air,
Curdling into starry mists,
Diapered with light despair.

Deep above the drowning sands
Sorrow like a moon is drowned;
Baba, only dip your hands
In the surface of the sound.

ELINOR WYLIE.

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The Professional Understander

UNDERSTANDING women has long been the greatest masculine sport. But not until these latter days has interpreting her become a business. Twentieth century woman is complex and has so many activities that doing her justice has developed for men a quaint and lucrative occupation—the Professional Understander.

The P. U. is as different from the ordinary amateur man who merely thinks he knows all about women as the waxed-mustached Paris dressmaker is from the husband whose thumbs button up his wife's waist. The P. U. is an efficiency expert on the subject of women. There is nothing hidden that shall not be revealed—to him. He knows what any woman will do under any set of circumstances, what she will think on any given subject and exactly how she will solve her personal problems. He Chautauquas over the country annually, making his fall appearance as regularly as winter straw hats and summer furs appear in the shop windows. He has not only a Northern, Eastern, Southern and Western Circuit, but he finds places on all kinds of programs and kindly obliges at church forums, school centres, civic meetings and conventions of various societies. Whenever and wherever he can get an ear to listen and a hand to offer his fee, he is ready and eager to speak.

The P. U. usually chooses controversial subjects; Has the Modern Woman Failed? Is the Higher Education Responsible? Can the New Woman Love? Dare We Teach Our Girls to Fly? and a whole series ranging around the eternal problem of the home, have the new activities of women destroyed it or are the telephone and electricity to blame? At this very moment, all over the country little groups of earnest listeners are gathered to hear some P. U.'s views on the subject of women. Consider the services of Dr. E. Percival Peters, one of the most widely heard interpreters of the woman movement. He travels every season from one coast to the other, making one-night stands in various small towns. At odd intervals he dashes off little articles for the Woman's Page of the Evening Star, giving advice to the love torn, urging patience to the jilted and admonition to young girls not to leave the old home until Father passes on.

The modern woman, you might say, has supported Dr. Peters for many years, and she keeps him in a style he was not used to when he taught wriggling youngsters in a graded school. He sprang into fame following a debate with an anti-suffragist who would not concede anything to women, except the kitchen stove. Dr. Peters was eloquent and he was generous. He gave us the freedom of the universe. He told us to make ourselves as much at home in the world as if we really lived here. Like an older brother, in swimming, he called out, "Come on in. The water's fine!"

After the debate he published his great work, How It Feels to be a Woman. In the preface he stated that while he was only a man, he was qualified to speak as a woman because he had a grandmother, a mother, a wife, an aunt, a niece and a daughter. The book was a graphic presentation of our innermost thoughts and feelings. Dr. Peters told what it was like to be a little girl, how it feels to be wooed and won, what emotions surge through our breasts when we feel our first-born in our arms, and then, that pathetic period when our charms fade and we are relegated to the chimney corner. That is, and this is Dr. Peters's great point, we shall be relegated to chimney corners unless we catch up with the century and refuse to grow old.

Dr. Peters is a magnetic speaker. He is as much at ease in a woman's club as if he were chairman of the house committee. If you had happened to be in Lindenville, about fifteen miles from the Missouri border, one day last winter you would have found him the honored guest of the Tuesday Questioners Club. Of course there were palms at both sides of the platform and a little row of Boston ferns across the front. Mrs. Grace Gordon-Page-Harris, president of the Questioners, made the opening remarks, a sort of hearts and flowers appreciation of Dr. Peters's work for women. Dr. Peters was not a whit disconcerted by the eulogy. Along the tour he had received hundreds of such bouquets. He stepped boldly to the front, a slight man, with rather nervous shoulders and the drooping mustache which male feminists affect as a concession to masculinism. After gracefully admitting the truth of Mrs. Harris's remarks and when the Questioners had adjusted their hats, coats, bags, furs and lorgnettes he plunged fearlessly into his subject, Is Marriage With the Modern Woman a Failure for Men?

To do justice to the subject of marriage, most lecturers go back to the cave period, although the less conscientious sometimes skip to the Roman Empire and begin with Cornelia and her jewels. Dr. Peters was more than conscientious. He went back to the Garden of Eden and pictured the first mating, coming gradually down the centuries. He worked finally to the great question of the hour; can a man marry the college-bred,

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economically independent woman of today and find his needs cared for as they were in the olden days when there were three slabs for the Marthas of each patriarch, in the village grave-yard. Dr. Peters asserted authoritatively that it could be done successfully. He had done it, although he added parenthetically that owing to the complications of modern domestic service, Mrs. Peters was obliged to spend her time in a New England suburb attending to the furnace and the needs of the little Peters. However, the point was that Mrs. Peters preferred to have her career through him. For after all, a man is the greatest career a woman can have.

Having talked for an hour and a half, however, it seemed best to Dr. Peters not to go into the details of modern marriage but let the Questioners discuss the problem from the floor. The Questioners came to life abruptly. Rallying for the discussion, even the most somnambulent of them sat eagerly forward, tongue amidships. They did not answer Dr. Peters's query, having so many problems of their own to talk about, ranging all the way from the morality of silk stockings and skirts at half-mast to the decay of modern teeth from cereal diet. "Dr. Peters, are moving pictures responsible for—"; "Dr. Peters, do you advocate divorce?" "Dr. Peters, do you think—"; "Dr. Peters, I have a friend and—" He answered them all with the calm confidence of an acknowledged leader of women. He was optimistic about everything, the home, marriage, eugenics, education, the ballot, even love. All's right with the modern woman was his slogan. The meeting ended with rounds of gloved applause and the Questioners rose feeling glad that they were women, and particularly glad that they were all up-to-date, thanks to the beautiful things Dr. Peters had said about them.

Like other well known P. U.'s, Dr. Peters sells his books in the lobbies of lecture halls. On the way out the Questioners bought copies of Have Women Brains? Do Women Contribute to Civilization? Woman—Famous and Infamous. For the more serious minded there were also twenty-six little volumes about Women and Art, Women and the Bible, Women and Culture, and so on through the letters of the alphabet. Through fiction, however, Dr. Peters has made his most brilliant contribution to feminism. Yellow paper backs of his eight great novels herald him as the genius with an uncanny gift for understanding women—the one man in the world today able to speak authentically for women.

The earlier Petersania, Helena Hathaway and Spring and Autumn deal with such objective problems as getting rid of parents and earning a living. Mis-Mated and Afterglow probe more deeply into the emotional life and discuss getting rid of husbands and finding lovers. But it is in Patricia Gray, his latest novel that Dr. Peters reaches the supreme heights of understanding. For this is *the* novel of woman's inner nature, a complete revelation of her hitherto unknown and true self, written by Dr. Peters in the first person singular.

"I know," says Patricia Gray, "the throbbing, passionate pulsating stir of a woman's soul when she is aware for the first time that she is loved. No man can ever grasp what it is really like, for he does not love as we do. As the poet has so beautifully said, 'Man's love is of man's life a thing apart; 'Tis woman's whole existence.' " The plot of the book is slight. It is merely the story of a country girl who goes to the city, throws conventionality to the winds, jazzes through some vivid amorous adventures and is finally saved for the suburbs by a poor but honest lawyer. It is the interpretation of woman's emotion that counts, for Dr. Peters is at his best when describing how a woman feels when she is kissed, betrayed and finally redeemed—by a man.

People like the Questioners get two dollars worth of vicarious sin and if that does not compensate there are gems of wisdom to cherish. "No woman really understands her own potentialities, they are for a man to discover;" "A woman would sell her soul for a pearl pendant"; "Maternity is the one experience all women long for, because they know they cannot share it with men." "All women are courtesans at heart, living only to please the other sex," "No woman values her freedom until she is married and then she is proud to surrender it to the man she has won." Aphorisms of this kind have given Dr. Peters his reputation as the greatest understander of them all.

Throughout all his work for the modern woman, Dr. Peters has made one persistent demand which is that she should be true to type, if to nobody else. He has labored hard and patiently to formulate a complete tabulation; cave woman, Athenian matrons, mediaeval ladies, patriarchial housewives, Victorians, feminists. His eyes are even turning speculatively toward the next great classification. Whatever happens, women must be serial indexed and card catalogued. That he has overlooked the main point of his subject—the whole woman movement having been an endeavor to escape just such attentions as his—is immaterial. Understanding women pays well.

FLORENCE GUY WOOLSTON.

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S. S. Tenacity

IT was with fear and dread, I must confess, that I went to see the Steamship Tenacity at the Belmont; for the last two outstanding French plays had taught me what they may come to on Broadway. Deburau last season, a charming enough thing at its source, turned out a kind of perpetual pretty matinée. Mr. Lionell Atwill flattened and bovinated a fine part; and Miss Mackay, for all her natural advantages, gave us the Camille of an understudy to the waxworks. And this year The Claw brought its original Bernstein trickiness and claptrap sex psychology with it, which was falser than ever on our stage and, with Miss Fenwick as the lady, highly unconvincing. And Mr. Lionel Barrymore, though he felt the part truly, worked too hard to push it along with him and lacked the necessary dramatic economy and style. Here then was the Steamship Tenacity, a story of two poilus on their way to Canada, one of them a man of action, the other a dreamer, following the tide but with a strange security of his own. They wait at the harbor inn for the Tenacity to sail; and both of them fall in love with Thérèse, the housemaid. Finally Bastien, the man of action, carries off the girl and gives up his sailing, and Ségard, the dreamer, sets out alone. Charles Vildrac's masterpiece and one of Copeau's greatest successes in the Rue du Vieux Colombier; something very French, very elusive and delicate and compact—the chances for such a piece on Broadway seemed very slight.

You wondered whether they would dress it up, or muddle it; make it naughtier, or change its morality by putting temporary virtue in the place of eternal vice; or be scared of its importance and manage it like an exercise in the grammar or what? Would they have a young man appear in a suit from the windows on Lower Broadway, where they make it snappy, and talk to the star, who sits on a Mission bed in a Russian blouse, as they did in John Barrymore's Redemption? Would they pounce on every little French word that crept into the text and nail it to its right pronunciation, as they did in Grace George's Marie Antoinette, where everyone brought down Bastiyie and guiyotine while the sign waved overhead in English, "Down with the Queen" and all the world in his best pirate clothes, red sashes and new shoes bustled around getting up the Revolution? Or would someone show us how Third Avenue would sound in Paris as Armand did in Deburau and the young son as well? I realize now after seeing Mr. Duncan's production that none of these things could have happened under him; but at the time they were horrid possibilities. So that the performance came as a relief and a delight.

Apart from the necessary blanks in any drama transplanted from its native earth, this production of the Steamship Tenacity has only one serious fault. It is dragged out too long; the scenes lose in security and point by not keeping up the right tempo. But this will be remedied now that another play has been added to pad out the bill. Mr. Duncan himself as old Hidoux, the Latin cynic philosopher, the raisonneur of the play, gives us the finest piece of acting in the company and one of the finest in town. Mr. Cooper brings with the moment that his English sailor has on the stage a perfection that ought to set Eugene O'Neill to writing a play for him at once. And Miss Forrest as Thérèse fits pleasingly into the dramatist's scheme, though technically she is still inexpert. But her comeliness fills one with misgivings; she is one of those young women that a New York critic will laud to the skies before she knows her business at all; a rapturous indulgence that helps to keep an actress, who might be otherwise talented too long at the game of being merely young and sweet, and helps to clutter our stage with too much rancid adolescence, as Madame Yvette Guilbert once called it in a letter to the Times. The parts of the two young men are more difficult than the others, since their outward qualities are left to the actor's creation. Mr. George Gaul is good only in the high spots, and then very good; for the rest he is inexplicably mannered. Mr. Tom Powers should learn to speak English and not mumble and slip over his words when he tries for the realism of Ségard's vagueness. That sort of realism defeats its own purpose as an actor would who for a blind part put out his eyes and went wandering off the stage and out of sight. But as the dreaming Ségard, moved always from without but strangely continuous and tenacious within, Mr. Powers is sympathetic and right.

Then what is it that makes even such a fine performance as this of Copeau's piece so unavoidably and so interestingly un-French after all?

The French quality in art of this kind, in plays like the Steamship Tenacity or Mazaud's La Folle Journée in the last Theatre Arts Magazine, or even in Molière, is not subtle exactly. That is to say it has not what we mean by subtle when we speak most seriously: a certain spiritual nuance, often confused but finely discerned, revealing, luminous. This French quality is more one of arrangement, of clear brains and deft fingers; is a rational process moving along inevitable tracks of reason, pattern, expertness. We see clearly all the while what is going on. The joy of it is not the joy of illusion but of a game that airs and delights the mind. It is essentially a social art that belongs to a social race. It plays itself in the light of the open like a happy mechanism under clear glass.

The French actor when he comes to this art recognizes that his relation to it is one of conscious intention. That is, he intends quite consciously to present the part, not to lose himself in being it. He plays carefully and in plain view. The charm of his work is essentially witty, we get from it the sense of wit based on the swift perception of similarity between his art and his subject-matter. He will delight us not with an illusion of life but by his perfect and lucid elaboration of the parts that work out the whole of what he creates.

The Anglo-Saxon actor finds this a hard business for him. Perhaps temperamentally he dislikes recognizing too plain cases and mistrusts the clear-cut. At any rate this obviously conscious intention baffles him, and in his efforts to appear natural he tries to avoid it. His acting may be better or worse than the French but never discovers an equality with it. His art when he has it is less social and more private. And furthermore where the French acting can be prosaic and yet vivid both in the body and the mind, his own prose runs to dullness, and he is driven to call on his soul or his animal spirits rather than his mentality to pull him out; his art may be poetic, sentimental, rowdy or flat, but it is rarely witty. In sum your Anglo-Saxon actor, though he may rule his own fireside and bluster abroad or fill the very dome of heaven, cannot keep within this frame that the Frenchman has made. And so with us the Steamship Tenacity must remain never quite done. But for all that what a fine and worthwhile production Mr. Duncan's is!

STARK YOUNG.

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A Plea for Judgment

WHAT perhaps strikes one most in the New Republic's symposium on criticism is the extent to which the word is used in a sense contrary to its very etymology. According to Mr. Lovett, the primary function of the critic is, not to judge and discriminate, but to "bear a faithful record of his impressions." According to Mr. Mencken, the critic who hopes to be remembered should be positively injudicious—like Carlyle, for example, who "was full of prejudices, biles, naïvetés, humors." According to Mr. Clive Bell, the critic should be "objective" in a sense that he does not seem to me to have made sufficiently clear, but this objectivity is not in any case to be a preparation for judgment, since "the proper end of criticism is appreciation." According to Mr. Hackett, the critic "exists primarily to convey his aesthetic satisfactions and dissatisfactions," which is very close to the original romantic gospel of gusto—and disgusto. Mr. Miller would substitute for a genuinely literary criterion the humanitarian test. All things are to be rated by "their practical tendency to promote the collective welfare." This doctrine of "service" in either its utilitarian or sentimental form is even more subversive of sound critical standards than the rampant Bohemianism of Mr. Mencken—more subversive because more insidious. It lands one inevitably in an under-dog philosophy, whereas to achieve sound literary standards one must look, not down, but up. The great writers of the past were not uplifters and forward-lookers—fortunately. Mr. Miller does not go beyond an attack on Emerson, but the humanitarian test when applied consistently (I do not accuse Mr. Miller of any such barbaric thoroughness of logic) leads Tolstoy to reject Sophocles and Shakespeare in favor of Uncle Tom's Cabin. Finally, Mr. Cohen inquires: "After all, what in the last resort, is the basis of any authority if not in something which we can perceive or apprehend?" Inasmuch as one gathers from the rest of his paper that one can thus perceive only variety and change, one is left without any principle of unity with which to measure the manifoldness of things, and therefore without standards of judgment.

In sharp contrast to the views of the other contributors is the view of criticism set forth by Mr. Murry. He starts, to be sure, with Rémy de Gourmont and self-expression, but only to arrive, somewhat unexpectedly and, as it seems to me, illogically, at the declaration of Dr. Johnson that "the mind can repose only on the stability of truth." The whole passage of Johnson that he cites is, as a matter of fact, neither impressionistic nor expressionistic in its implications. It does not look forward to the modern doctrine of spontaneity and temperamental overflow, but back to the older doctrine of imitation and the achievement through imitation of the "grandeur of generality." Let us consider for a moment this doctrine of imitation at its source, as it appears, for example, in the judgment that the father of criticism passes on the father of poetry. Homer, says Aristotle, is the greatest of poets because he is the most imitative. He is not eager, like lesser bards, to express himself, but paints with his eye on the object and that object is human nature. After all the hubbub of the centuries, Homer is still the first of poets for precisely the reason that Aristotle mentions. He is objective but in an entirely different way from the physical scientist. Of the confusion that may arise from juggling with the twofold meaning of the word objective there is more than a suggestion in Mr. Cohen's paper. An artist must, it would appear, attain in some measure this truly human objectivity if his appeal is not to be ephemeral, even though he may not merit the supreme compliment Sainte-Beuve paid to Shakespeare—that of dwelling at the very centre of human nature. According to a modernist of the type of Mr. Mencken, human nature has no centre but only a constantly expanding periphery. Each man is to be satisfied with the sheer zest of flying off on his own temperamental tangent. But the time may come when the uniqueness that Mr. Mencken is so eager to get uttered will not be as fascinating to others as it is to himself, assuming indeed that that time has not come already.

Let us inquire further from Aristotle how a great poet like Homer achieves "the grandeur of generality," a truth of a quality superior to that of the historian. He achieves it, says Aristotle, by being the most accomplished of liars. It will be remembered that Oscar Wilde (in The Decay of Lying and elsewhere) has protested against the hard photographic literalness that has resulted from an illegitimate extension to the arts of the scientific temper. He opposes to this literalness sheer romantic illusion and then proclaims with supreme effrontery that he is the true Aristotelian.

Professor Gilbert Murray, again, missing, as he so often does, the genuine Greek point of view, says that what Aristotle was trying to do was to escape from the excessively moralistic bent of Greek literature into a world of pure fiction such as one finds in William Morris.* But what Aristotle wanted was not fiction in general but a special quality of fiction, representative and at the best "highly serious" fiction. The frequent failure to grasp this conception of truth through fiction can be traced to some form or other of dogmatism. The failure, as appears so curiously in the reasons that Boileau gives for rejecting the Christian epic, was once due to theological dogmatism. Theology had worked out a brand of truth so pure that any contact with fiction was felt as contamination. More recently the dogmatism of physical science, its attempt to bring the whole of human nature under one law, has been responsible for a great deal of inferior or spurious realism and for the flight by way of protest into romantic unreality. But in art that is worth while truth and fiction cooperate; the result, says Goethe, speaking not merely as an Aristotelian but as a hard-headed observer, is "the illusion of a higher reality."

One need not hesitate to accept Mr. Cohen's challenge and plant oneself on the facts of perception provided it be on all the facts. The centre of normal experience, the abiding element in man, is not something one has to take on authority; it is something one perceives and grasps imaginatively. Both critic and creator must have some degree of this ethical perception, as one may say, if they are to have standards; and it is in their allegiance to standards that critic and creator actually meet, and not, as so much current theory assumes, in their common passion for self-expression. Unfortunately the modernist excludes the constant element in experience in favor of the element of change. The present "reign of relativity" in the field of both the natural and the human law, and the resulting worship of the god Whirl is not, one can scarcely insist too strongly, the fruit of keen realistic ob-

* See An Essay in the Theory of Poetry: Yale Review, April, 1921.

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servation of life itself, but of a metaphysical bewilderment of the human spirit. William James made it his life ambition to "get the scalp of the absolute." This was a laudable enterprise. Only a still more laudable enterprise under present conditions would be to get the scalp of the relative; for there is something even more opposed to the absolute than the relative and that is imaginative good sense.

It would seem to follow from all I have said that the final test of creative work is the wholeness and centrality of its vision or, if one prefers, the quality of imagination it displays. One must agree with Mr. Murry that the deepest judgments are moral, though it is difficult, again, to see how he derives this conclusion from the self-expression with which he starts. One might wish too that he had made clearer that by moral he does not mean moralistic, for the best type of creator and of critic both overcome the opposition between the moralistic and the aesthetic, btween which so much theory and practice of art and literature have tended to oscillate. The complete critic, though not primarily aesthetic, must take full account of the truth contained in the gospel of gusto. "The true figure of the lover of beauty," says Mr. Hackett, "is athletic." This is the athleticism that Keats has in mind when he speaks of the man "whose *strenuous* tongue can burst Joy's grape against his palate fine." Because of certain defects on the side of aesthetic perception, Dr. Johnson, who is nearly always a first rate moralist, is at times rather worse than mediocre as a literary critic. Ethical perception by itself gives judgment. Aesthetic perception by itself supplies gusto. The right mediation between judgment and gusto results in taste. The critic who can thus mediate adequately between the vital unity and the vital novelty in things, who can practice in its perfection the Platonic art of seeing the One in the Many, may in Emerson's phrase be a golden impossibility. On the other hand, the man who does not even see the problem and solve it in some slight degree can scarcely be regarded as critical at all.

I have barely grazed the surface of the topic I set out to discuss—how, namely, to achieve standards on the terms imposed by the modern spirit; standards, in other words, that do not rest on merely traditional authority, nor again derive from some metaphysical conceit of the absolute. The seeker after standards of this kind will not allow Mr. Cohen or any one else to browbeat him with the epithets "subjective" and "objective". He will see that he needs to become objective, not merely in the naturalistic, but also in the human sense. So far as he succeeds in doing this he will get beyond the modernist stage and become a thorough-going and complete modern, and at the same time escape from the whole impressionistic-expressionistic imbroglio. The great movement that got fairly under way in the eighteenth century had from the start one-sided notions as to the nature of creative originality; and this movement is now showing unmistakable signs of exhaustion. One may scarcely hope to get from its dregs what "its first sprightly running failed to give". Why not look in an entirely different direction and seek to recover the secret of a humanism, free, flexible, imaginative, of the type that has been rare since the great Greeks? This may turn out to be a more profitable, even though a much more difficult undertaking, than to follow the present drift and develop, under the guidance of Mr. Mencken into second-rate Nietzscheans.

IRVING BABBITT.

Maritime Massachusetts

The Maritime History of Massachusetts, 1783-1860, by Samuel Eliot Morison. Boston: Houghton Mifflin Company. $5.00.

THIS is a delightful book. It combines research, accuracy, and diversion with literary finish. The author has shown us that good history, even of economic enterprise, need not be dull and that it is possible for a scholar to serve caviar to the general in such a style as to command appreciation. Men who make fifty percent on their invested capital are often human; and Puritans, seasoned with Madeira, may be as mellow as Cavaliers. Mr. Morison makes this very clear; and, bearing as he does the stamp of authenticity, he dares to deal light heartedly with the sacred cod, suffering no evil and calling down upon his head no charge of envy or pique.

Mr. Morison does not, therefore, have to link the cod with world-safe-for-democracy. He speaks firmly and squarely of forces economic. This is what he gives us for a background. The founders of Massachusetts intended to make New England a country of large landed estates tilled by tenants and hired labor. Necessity made seamen of would-be planters. The backbone of Maritime Massachusetts was the middle class drawing their wealth from the sea and from merchandising. Society was stratified. The Massachusetts constitution of 1870 "was a lawyers' and merchants' constitution, directed toward something like quarterdeck efficiency in government and the protection of property against democratic pirates." The Shay's affair was very much of a *Klassenkampf* between the farmers and the maritime gentry. "Maritime Massachusetts controlled the government [of the commonwealth] by the simple device of apportioning the state senate according to taxable wealth. Every effort of the representatives to relieve the farmers died in the upper house. The merchants even shifted the burden of taxation to those who could least bear it. Forty percent of the state's expenses were raised by poll taxes, which fell equally on rich and poor, merchant prince and ploughboy. The customs duties were low and largely evaded. . . . The best people would smuggle in a good proportion of each cargo, as if the customs were still the king's." The contest over the adoption of the federal Constitution, ten years after Shays' rebellion, partook of the same character. A third time "maritime Massachusetts won over farming Massachusetts." Another phase of this long battle is revealed in the disputes over the embargo, over Mr. Jefferson's weakness, and over Mr. Madison's war of 1812. New England captains, who knew the coral reefs of the South Sea, knew not the United States. So a sailor's daughter made her defiant secession long before Jefferson Davis thought of it:

> Amy Kittredge is my name.
> Salem is my dwelling place.
> New England is my nashun.
> And Christ is my Salvation.

Against this economic background, so offensive to the coupon cutter, Mr. Morison paints his scenes. Now we can see clearly, as never before, the ship builders, sailors, merchants, ships, wharves, yards, and warehouses of Massachusetts. The clipper crowded with sail makes her stately roll as she sweeps around the Horn on her way

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to China via the Pacific coast. The God-fearing captain walks the deck. The tang of the salt air beats against our faces. The winds whistle their paeans in the shrouds.

Long lines of warehouses stretch before us. We can look upon every kind of merchandise that blows to and from the ports of every land. Every kind of craft rides near by in the harbor. The vast network of New England enterprise is unravelled before our gaze. We can see Puritan sailors gathering birds' nests for Mandarin banquets in the land of the Son of Heaven. For us the looms of Lawrence and Waltham rattle and bang. Husky longshoremen load boats with codfish, lumber, cottons, glass, needles, thread, drugs, and gravestones. Puritan traders chaffer everywhere. They outwit the Indians on the Columbia River. They outdo the wily gentry of almond eyes in Canton. They prance along the quays of Lisbon, Marseilles, and St. Petersburg. Out of needles, ginseng, and pepper rise the stately mansions of Boston's very best. Soon the hands made rough by hauling on the hawser and stained by tar are laid to rest and sons and daughters that know not the toils of the briny deep laugh and play as they make short shrift of fortunes wrung from clapboards, spices, and nutmegs.

Here we are told of the Pacific Northwest trade, the Canton markets, the East Indian appanage of dear old Salem, the building of brigs and clippers, the glories of Newburyport and Nantucket, the Hub of the Universe, the kinds of men who went down to the sea, the markets of the Baltic and the Mediterranean, and the plowing of the Southern Seas by New England ships. The profits of the voyages, the wages of the sailors, and the politics of glorious lucre are carefully described. Alexander Hamilton's "conscious policy was to favor the merchant-ship owner classes, both to gain their powerful influence for strong government and for the impost and tonnage duties which accounted for ninety-two percent of the revenues of the United States in 1791. His funding of the domestic debt and assumption of state debts put money into the pockets of the merchants who held large quantities of depreciated government securities. Consequently Hamilton's financial policy, which from the latitude of Charlottesville, Virginia, appeared unwarranted, unconstitutional, and anti-republican, seemed natural, necessary, and statesmanlike in Essex County, Massachusetts. It was just what maritime Massachusetts has ratified the constitution to obtain." There is a smack of straight talk in this, such as an irate captain might give a negligent mate as he knocked him flat on his back. Mr. Morison had better watch out; many a good American has been ruined at the court of respectability for just such truthful levity. It is not well to mix brown shirtings, soap, ham, and pickled salmon with jurisprudence. Lawyers never forgive an invasion of their province.

Finally let it be remembered that this is no abstract historical treatise. The names of the ship builders and owners and the data of their careers are sprinkled over every page. Great merchants and their deeds are given their proper place. Ships are named, their sailing charts laid out, and their fortunes described. And the whole is interspersed with tale, anecdote, snatch of verse, and sly winks so amusing that one is hourly in danger of forgetting what a solemn economic work Mr. Morison has written. The owner of the good ship Essex, when he heard that she had been captured by pirates and her entire crew massacred, remarked: "Well, the ship is insured." After all, as Mr. Roosevelt once remarked. "We are practical men." To enrich the rich diversity of his text Mr. Morison adds a great sheaf of interesting and appropriate pictures which really illuminate the story. What more could mortal ask?

In laying down this charming volume, one is moved to inquire why it was that a Virginia gentleman who inherited a broad plantation and five hundred slaves looked down with scorn upon the merchant prince of Boston whose ships sailed every sea and visited every clime? Traffic in snuff, rat-traps, rum and Jews' harps seems about as exalted as riding to the hounds. One can understand envy of gentlemen who netted "almost $120,000 on their original adventure of not over $40,000," but one cannot (at least from 33 West 67th St.) understand contempt for such happy players in our great comedy.

CHARLES A. BEARD.

Salt of the Individual

The Living Frieze, by Mark Turbyfill. Published by Monroe Wheeler, Evanston, Illinois. $2.00.

MR. MARK TURBYFILL, while in no sense whatever an imitator of any of the leading contemporaries, is acutely a modernist. In his individual fashion he represents a good many of the vices of his time, with their corresponding virtues. He is brief always; sometimes he is chaotic, the relations of things he mentions not always being clear or important. On the other hand he has a power of compacting much into few words, of making his briefness a vivid and living presentation of a very big emotion. The poems in the book are cameo work, finely cut with the ease of sure artistry in fragilely delicate rhythms, but the important poems of the volume are also something very much more. The first casual impression one is apt to get—that Mr. Turbyfill simply portrays the lovely in an adequate and graceful technique—is true of such delightful bits as Without Chaperone, Spring Additions, or My Heart Like a Hyacinth. It misses the depth that lies under Fragment of Vision or Journey.

The uniformity of technique throughout the volume tends to obscure the range of subject in the poems themselves. It is true that Mr. Turbyfill's viewpoint is always, or nearly always, the same. He is frankly "the gatherer of shells," and confesses that he does not want crude, factual "realities," but rather the heart of things and their "unreached forms." It is beauty he wants and he has a knack of discovering it—in a pawnshop window with its trinkets played upon by a strange light, in a wind-stripped and gnarled old tree, even in that Chicago which apparently Mr. Sandburg has so much maligned. For of Chicago this poet says:

> O city of beauty,
> They have spoken without understanding;
> They have called you evil!
>
> O city of beauty,
> Maybe it is only my heart you have shaken
> With your sadness of rose evenings,
> And the shadows falling
> In the misty evening
> Under the bridges.
>
> Your avenues are velvet and symmetrical,
> As speech slow-moving.

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O city of beauty,
I come not with vain enumeration!

For in the untrod night
I have looked upon your rapt
Presence.

There was a whiteness
as of wings stirring.

And without doubt Mr. Turbyfill is as correct as Mr. Sandburg, the contrast being the immemorial one of the romantic and the realist—both seekers after truth.

Varying his subjects, Mr. Turbyfill not only finds beauty in many things, but makes some interesting excursions into the relationships of people—particularly that between a young man and an older woman. He sees the irony of it, the "slanted, unacknowledged questionings." But elsewhere he sees also the other, the more fruitful aspect: what feminine maturity has of richness to give to the young poet. He says (in a form that is unique in the volume),

I

She is touched with a beauty the sere of reeds by an old water.

Her being is of a duality: the idea that waits unconquered, in and beyond a vast ice; of the fine, sharp green which wakes in young shoots at the base of trees, she is impelled and given motive.

Slowly we have walked together, knowing the meaning of earth, and small twigs.

II

I am the surprised young man, light walker on night-lawns.

My mind is the mould into which has fallen the beauty of things.

Pour into me your metal, your tears and phases in queer places, and I will give them back to you in little shining shapes and patterns.

One feels after finishing the poem that the poet had, as he says, "suffered the malady of becoming mature" when he wrote it, for it is not the nature of youth to recognize such delicate and intangible influences. And while the workmanship of this particular poem is slightly vague and unsure, it is a nice handling of psychology.

Mr. Turbyfill does not write in rhythms or forms which echo other more famous names: he has developed his own styles, a nervous, sharply marked line of rhythm that is his own and fits perfectly his viewpoint. Occasionally his insistence on the compact and sharply outlined betrays him into writing such cacophonous lines as, "The night-blue black—unplumbed" or the weird "Points puffy white dull mind," but such slips (fortunately!) are rare. More often his etched rhythms emphasize the sense of line and posture which are so remarkable in Mr. Turbyfill's work. Take, for example, this, part of a poem to Mary Garden:

She has rounded her shoulders
To the curve of his arm
And walked
With him slowly.

That is the Garden gesture caught to perfection! Mr. Turbyfill knows much of Russian dancing, and his knowledge of dancing has profited his poetry. That he has an eye for line and pose is revealed frequently.

Pungency of phrase and an occasional whimsy of humor add the final touch of individuality to this work. A Philistia raised on the incongruities, however amusing, of Mark Twain is hardly likely to appreciate such caprices as Counsel, Sloth or Baton, but the flavor is there none the less for those with the palate for it. And the pungency of pointed phrases runs through the volume.

ROYALL SNOW.

Selected Current Books

Some Contemporary Poets, by Harold Monro. Parsons. 7/6.
Mr. Monro glances through the English poets of our time.

Cytherea, by Joseph Hergesheimer. Knopf. $2.50.
Mr. Hergesheimer writes a new love story.

Little Rays of Moonshine, by A. P. Herbert. Knopf. $2.00.
A collection of Mr. Herbert's fragments from Punch and elsewhere.

The Nature of the Judicial Process, by Benjamin Cardozo. Yale.
The New York Jurist defines in four lectures the elements in the judicial process and the methods of philosophy, history, etc.

Danton, by Louis Madelin. Knopf. $5.00.
An essay on Danton by the author of The French Revolution, translated by Lady Mary Loyd.

The Critic and the Drama, by George Jean Nathan. Knopf. $1.75.
Mr. Nathan's excursion into the "aesthetic jurisprudence."

Collected Poems of James Elroy Flecker. Knopf. $3.00.
These poems have been out of print for some time in America. They are printed with an introduction by J. C. Squire.

The American Language, by H. L. Mencken. Knopf. $6.00.
A new completely revised and much enlarged edition.

Poems, 1918-1921, by Ezra Pound. Boni and Liveright. $2.50.
The more recent verse of Ezra Pound.

The Evolution of Modern Medicine, by Sir William Osler. Yale.
An amply illustrated reprint of Osler's lectures on the historic rise and development of modern medicine.

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ROYALL SNOW is a lecturer in the English department of Queen's University, Kingston, Canada, who has frequently contributed verse to various magazines.

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